THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 16296 of 2007

Dated: 29.10.2007

Between:

Komadana Venkata Gopala Krishna Rao

… Petitioner

AND

The Government of A.P., rep., by its
Principal Secretary to Revenue (L.A.) Dept.,
Secretariat, Saifabad, Hyderabad
& another.

… Respondents

Counsel for the petitioner : Sri M. Rambabu

Counsel for the respondents : Assistant Government Pleader for Land Acquisition

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WRIT PETITION No. 16296 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to direct the respondents to deposit the entire balance of compensation amount payable to the petitioner in pursuance of decree dated 29.01.1996 in O.P.No.133 of 1984 to the credit of E.P.No.117 of 2002 on the file of the Additional Senior Civil Judge, Eluru, West Godavari District.

The Special Deputy Collector, Land Acquisition, Yerrakalva Reservoir Project, Jangareddigudem, West Godavari District, filed a counter-affidavit in which it is averred as under:

> "In reply to the averments made in paras 5 and 6 of the petitioner's affidavit it is submitted that it is true that the petitioner filed E.P.No.57 of 1996 for realization of decretal amount and the same was closed on 28.08.2000. It is also true that an amount of Rs.7,05,829/- was deposited before the lower court and the petitioner has withdrawn the said amount. The petitioner has filed another E.P.No.117 of 2002 for recovery of the balance amount. After receipt of information from the Government Pleaders' office that the writ petition was filed by the petitioner seeking balance payment of compensation. This respondent has calculated the decretal amount and found that there was a mistake in calculating the decretal amount and the balance amount is still due to be paid to the petitioner.

> The correct figure towards balance of compensation is being calculated and proposals will be submitted to the Government for sanction and the balance of compensation will be paid to the petitioner soon after receipt of funds within a couple of months."

Learned counsel for the petitioner submitted that in view of the averments contained in the above-reproduced paragraph of the counter-affidavit, the writ petition may be closed.

In view of the same, the writ petition is disposed of.

As a sequel to disposal of the writ petition, WPMP.No.20728 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

Date: 29.10.2007
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